

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

ERICK RODERICO PIVARAL
GONZALEZ, Individually and as Special
Administrator of the Estate of NEHEMIAS
R. PIVARAL SANTOS, DECEASED,
ERICK SANTOS and EVELYN MORENO

Plaintiffs,

V.

CAYLEE ERIN SMITH and EASTMAN
CHEMICAL COMPANY,

Defendants.

Civil Action No. 3:22-CV-02714-K

DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56 and Local Civil Rule 56.3, Defendants Eastman Chemical Company and Caylee Erin Smith move for partial summary judgment on Plaintiffs' negligent-employment claims against Eastman, their gross-negligence claims against both Defendants, and for certain categories of damages. In accordance with Local Civil Rule 56.3(b), Defendants have set forth each of the required matters in their contemporaneously filed Brief in Support of Motion for Partial Summary Judgment. For the reasons set forth in Defendants' brief, Defendants respectfully request that the Court grant partial summary judgment in their favor and dismiss with prejudice the negligent-employment claims, gross-negligence claims, and certain categories of damages.

Respectfully submitted,

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CAYLEE ERIN SMITH

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served upon all parties or their counsel of record in accordance with the Federal Rules of Civil Procedure on this the 29th day of January 2024.

Via Electronic Mail

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